

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE**

<b>FRANKLYN WILLIAMS,</b>	)	
	)	
<b>PLAINTIFF,</b>	)	<b>CASE NO. 3:19-CV-00599</b>
	)	
	)	
<b>V.</b>	)	
	)	
	)	<b>JUDGE RICHARDSON</b>
<b>PRISONER TRANSPORTATION</b>	)	
<b>SERVICES, LLC, <i>et al.</i></b>	)	<b>MAGISTRATE JUDGE HOLMES</b>
	)	
<b>DEFENDANTS.</b>	)	

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**MOTION TO SET ASIDE DEFAULT PURSUANT TO F.R.C.P. 55(c) BY DEFENDANT  
CUYAHOGA COUNTY**

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Defendant Cuyahoga County (“County”) moves this Honorable Court to set aside default pursuant to F.R.C.P. 55(c). Default should be set aside for good cause because the County has a meritorious defense, Plaintiff will not be prejudiced if default is set aside, and the County’s actions (or inactions) were not willful. Additionally, this Court likely lacks personal jurisdiction over the County because Plaintiff cannot establish minimum contacts between the County and Tennessee to meet due process requirements. For these reasons and those stated in the memorandum in support and the accompanying exhibits, the County respectfully requests that the Clerk of Court’s entry of default be set aside.

Respectfully submitted,

/s/ Leslie Curry Bay

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(Pending admission *pro hac vice*)

*Attorneys for Defendant Cuyahoga County*

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing “Motion to Set Aside Default Pursuant to F.R.C.P. 55(c) by Defendant Cuyahoga County” was filed electronically on this 8<sup>th</sup> day of May 2020. Notice of this filing will be sent by operation of the Court’s electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Courts electronic filing system.

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